

CHAPTER THREE - HOW THE DIVISION OF FAMILY SERVICES PROCESSES A CASE

DFS utilizes a computerized case management system known as FACTS – the Family and Children Tracking System. All facts of the case are entered into this system. The cases are located by parents(s) name. Any cases which existed prior to 1996 will likely also have hard paper files at the agency. In addition, some hardcopy data, such as that obtained from outside sources, is still maintained on most cases.

When a referral alleging abuse, neglect and/or dependency is received by the Division of Family Services (“DFS”), it is received by the DFS hotline. The hotline phone number is 1-800-292-9582. If the referral is accepted, DFS generates a form in FACTS titled: “Hotline Family Abuse Report”. If the referral is made after-hours, a **hotline investigator** will do the initial contacts and transfer the case to an investigation worker once regular business hours resume. If emergency custody of a child is required after-hours, DFS will contact the on-call Family Court judge for *ex parte* custody.

A dependency/neglect petition for custody is required to be filed for after-hours cases by 12 noon the next business day in Family Court. See form at Tab 5. If emergency custody is required during regular business hours, DFS will file the emergency petition and wait for notice from the Family Court that the request has been approved or denied.

An **investigation worker** is immediately assigned to determine whether or not the allegations in the referral can be substantiated. The investigation worker

must complete his or her investigation within 45 days. Upon completion of the investigation, the worker generates a report titled “Risk Assessment” which outlines the risk factors and an analysis of the allegations. A second report titled “Assessment Supervisor Risk Disposition” is generated by the supervisor and acknowledges a review of the initial report and approval of its findings. If the allegations prove to be unfounded, DFS may choose either to close the case or refer the family for services.

Once a substantiated investigation is completed, the case is usually transferred to a **treatment worker**. A treatment worker is responsible for providing reunification services to the family as well as any special services for the child. The services for the family are outlined in a **case plan or family service plan**. See Tab 6 for an example. The services for the child are outlined in a **Plan for Child in Care** (PCIC, parts II – IV). See Tab 7 for examples. Usually, the child is placed in a DFS foster home or with suitable family members. However, sometimes, the child is placed in a foster home or group home/shelter contracted by DFS with a private agency. Depending on what services DFS purchases in each case, those agencies may prepare the PCICs and/or the family case plans. In short, a family may have a worker through the private agency, an investigation worker and a treatment worker. In addition, the foster home (if through DFS) will have a **foster home coordinator** who manages the needs of the foster families. Information on foster care resources may be found at Tab 22.

While the case is assigned to a treatment worker with a goal of reunification, the worker is obligated to coordinate services

for the family and the child. These services may include substance abuse treatment, domestic violence counseling, mental health treatment, parenting classes, parent aides, anger management, individual therapy, family therapy, employment, housing, protective daycare and visitation with parents and siblings. Services for the child may include medical care, dental care, mental health treatment/counseling, educational services, recreational activities, etc. Information on educational services can be found at Tabs 23 and 24. It is important that the AGAL has input into the service plans as well as independently monitors the services for compliance, progress and behavioral changes.

If the plan for a child is changed from reunification to termination of parental rights or a similar permanent plan (including long term foster care), the case is transferred to a **permanency worker** or a **long-term care worker**. That worker is charged with providing the child with the services he/she needs, and for locating and recruiting adoptive homes. Once the Court approves that plan change, DFS is no longer obligated to provide reunification services to the family. *In re Burns, Del. Supr., A.2d (1986)*. Once the child is placed in a permanent home, the worker must ensure the necessary adoptive home studies, subsidies and support services are in place for the pre-adoptive family. The worker also monitors the status of any petitions filed with the Family Court.

For children who have a plan of another permanent planned living arrangement (“APPLA”), and are at least age 16, they should also receive provisions of independent livings services which are designed to help them lead productive,

successful lives as they age out of the foster care system. Together with the DFS long-term care worker, each child eligible for independent living services should have a worker assigned to provide same through one of DFS’ contacted agencies. This worker and agency is an important contact and resource to ensure that children are getting daily living skills, employment skills and opportunities, access to education and training, family planning and pregnancy prevention, etc. There are 2 contracted agencies in New Castle County, and 1 in each of the lower two counties.